

THE HON'BLE MR JUSTICE L. NARASIMHA REDDY

Writ Petition No.7419 of 2007

Dated 12-04-2007

Between:

Karri Tata Rao

...Petitioner

And

The District Collector,
East-Godavari District and others

...Respondents

THE HON'BLE MR JUSTICE L. NARASIMHA REDDY

Writ Petition No.7419 of 2007

ORDER:

Petitioner claims to be a member of Fishermen Co-operative
Society, of Lakshmipathipuram Village, Tallarevu Mandal, East-

Godavari District. It is stated that the Government sanctioned a sum of Rs.40,000/- to each fisherman, namely, Rs.25,600/-, for supply of nylon thread, for nets, and Rs.14,400/- for purchase of boat. The contract for supply of the said material is said to have been awarded to the 5th respondent. The grievance of the petitioner is that the 5th respondent obtained thumb impression and signatures on some blank papers and did not supply the material, at all. He claims to have made representations to respondents 1 to 4, narrating his grievance and complains that no action has been taken thereon.

Heard the learned counsel for the petitioner and learned Government Pleader for Fisheries.

Even from the narration of events in the affidavit, filed in support of the writ petition, and on a perusal of the documents filed by the petitioner, it is evident that enquiry was conducted in the village on 04-09-2004, and since the petitioner did not attend on that day, it was postponed to 09-09-2004. On that day, the petitioner could not attend, and made a representation to postpone it. Accordingly it was adjourned to 13-09-2004.

Petitioner contends that on 13-09-2004, respondents 3 and 4 have instigated the villagers against the petitioner and recorded some adverse statements. The petitioner was also got issued a notice through an advocate on 14-03-2005. In that, it was stated that the signature of the petitioner was obtained on certain blank papers, without supplying the material.

From the above narration, it becomes evident that there are serious disputes between the parties, as to the supply of material. The same needs to be verified on the basis of the evidence, that is to be adduced. Further, the existence of privity of contract is another issue. In this backdrop, the petitioner can secure appropriate remedy only in

a suit, that may be filed in a civil Court.

Accordingly, the writ petition is disposed of, leaving it open to the petitioner to work out his remedies by filing a suit. There shall be no order as to costs.

L. NARASIMHA REDDY, J.

Dt.12-04-2007.

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